

MINUTES

CIVIL SERVICE COMMISSION MEETING

Wednesday, December 2, 2009, at 9:30 a.m.

522 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

9:30 A.M. CLOSED SESSION

Consideration of the appointment, employment, evaluation of performance, discipline, or dismissal of public employees pursuant to Government Code Section 54957, for the positions listed below.

CONVENED THE MEETING AT 9:31 A.M. AND WENT INTO CLOSED SESSION AT 9:32 A.M.

10:00 A.M. AGENDA

RECONVENED THE MEETING AT 10:27 A.M.

COMMISSIONERS PRESENT: ADKINS, FELTON, FOX, KAHWAJIAN, MARTINEZ

Election of Civil Service Commission President

COMMISSIONER LYNN ADKINS WAS ELECTED PRESIDENT.

Minutes of the meeting of Wednesday, November 18, 2009, for approval

APPROVED; COMMISSIONERS FOX AND FELTON ABSTAINED.

DISCUSSION HELD REGARDING SCHEDULING OF HEARINGS

Unfinished Business

1. *Petition of **RAY GUTIERREZ** for a hearing on his ten (10) day **suspension**, effective November 10, 2008, from the position of Painter, Department of Health Services, **Case No. 08-4068.***

ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, RALPH PEREZ, TO SUSTAIN THE DEPARTMENT.

Unfinished Business (continued)

2. *Petition of **MARTIN ZAMORA** for a hearing on his five (5) day **suspension**, effective May 8, 2008, from the position of Photographer, Chief Executive Office, based on his claim of a Civil Service Rule 25 violation, **Case No. 08-195**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, BARBARA E. MILLER, TO DENY THE APPEAL. COMMISSIONER MARTINEZ ABSTAINED.
3. *Petition of **ALLEN ZHOU** for a hearing on his ten (10) day **suspension**, effective August 25, 2008, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 08-357**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, JENNIFER GARDNER, TO SUSTAIN THE DEPARTMENT.
4. *Petition of **MARINA RODRIGUEZ** for a hearing on her ten (10) day **suspension**, effective April 1, 2007, from the position of Intermediate Clerk, Department of Health Services, **Case No. 08-014**.*
OVER-RULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION, THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, IRENE P. AYALA, TO SUSTAIN THE DEPARTMENT. COMMISSIONERS FELTON AND FOX DISSENTED.
5. *Petition of **ALEJANDRO STEPHENS** for a hearing on his **discharge**, effective December 3, 2008, from the position of Community Health Plan Marketing Representative, Department of Health Services, **Case No. 08-4090**.*
REMANDED TO THE HEARING OFFICER FOR A RECOMMENDATION TO THE COMMISSION ON THE ISSUE OF JURISDICTION BASED ON ZUNIGA. COMMISSIONER FOX RECUSED HERSELF.
6. *Petition of **JEFFREY DEANS** for a hearing on his **suspension** not to exceed thirty (30) days pending investigation, effective August 24, 2007, from the position of Arboretum Gardener, Department of Parks and Recreation, **Case No. 07-392**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION BASED ON THE DEPARTMENT'S DECISION TO WITHDRAW THE ACTION. HEARING CANCELLED.
7. *Petition of **NANCY MEJIA** for a hearing on her ten (10) day **suspension**, effective April 21, 2008, from the position of Intermediate Typist Clerk, Department of Public Social Services, **Case No. 08-175**.*
RECEIVED AND FILED COMMUNICATION WITHDRAWING THE PETITION. HEARING CANCELLED.

New Business

8. *Petition of **TORKEKA Q. MCALLISTER** for a hearing on her **suspension** not to exceed thirty (30) days pending investigation, effective September 23, 2009, from the position of Adoptions Assistant, Department of Children and Family Services, **Case No. 09-1409.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
9. *Petition of **JANET T. YARBROUGH** for a hearing on her **reduction**, effective September 28, 2009, from the position of Chief, Administration and Contract Services, Animal Care and Control, to Administrative Services Manager II, Department of Animal Care and Control, **Case No. 09-1405.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
10. *Petition of **LESLIE HERNANDEZ** for a hearing on her **discharge**, effective September 25, 2009, from the position of Medical Case Worker II, Department of Mental Health, based on her claim of a Civil Service Rule 25 violation, **Case No. 09-1417.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
11. *Petition of **TAMIKA HOLLINS** for a hearing on her **discharge**, effective October 3, 2009, from the position of Children's Social Worker III, Department of Children and Family Services, **Case No. 09-1413.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
12. *Petition of **ELAYNE MEDINA** for a hearing on her **discharge**, effective October 2, 2009, from the position of Registered Nurse III, Department of Health Services, High Desert Health System, **Case No. 09-1412.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
13. *Petition of **MICHELLE PETERSON** for a hearing on her **discharge**, effective September 30, 2009, from the position of Licensed Vocational Nurse I, Department of Health Services, Harbor-UCLA Healthcare Network, **Case No. 09-1421.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
14. *Petition of **MAXIMO ROBLES** for a hearing on his **discharge**, effective September 28, 2009, from the position of Senior Building Engineering Inspector, Department of Public Works, **Case No. 09-1419.***
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

New Business (continued)

15. Petition of **JANICE WILLIAMS** for a hearing on her **discharge**, effective October 5, 2009, from the position of Senior Legal Office Support Assistant, District Attorney's Office, **Case No. 09-1420**.
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED. TO BE CONSOLIDATED WITH CASE NO. 09-1030.
16. Petition of **WANDA CLARK** for a hearing on the Director of Personnel's denial of her appeal of the **Appraisal of Promotability score** received in the examination for Head Departmental Personnel Technician, **Case No. 09-1345**.
CONTINUED TO THE MEETING OF FEBRUARY 10, 2010, AT THE REQUEST OF THE PETITIONER, IN ORDER FOR HER TO BE PRESENT.
17. Petition of **ROBERT GURROLA** for a hearing on the Director of Personnel's denial of his appeal of the **Appraisal of Promotability score** received in the examination for Eligibility Supervisor, **Case No. 09-1324**.
HEARING DENIED. (NO ONE APPEARED FOR THE PETITIONER.)
18. Petition of **GRACE PEREZ** for a hearing on the scores received on the **written portion** of the examinations for Typist Clerk and Intermediate Typist Clerk, **Case No. 09-1309**.
HEARING DENIED.
19. Petition of **AMANDA R. URIBE** for a hearing on her **disqualification** in the examination for Deputy Sheriff Trainee, **Case No. 09-1236**.
CONTINUED IN ORDER FOR THE PETITIONER TO RECEIVE AND REVIEW THE DEPARTMENT'S RESPONSE.

Miscellaneous

20. Opportunity for members of the public to address the Commission on items of interest that are within the subject matter jurisdiction of the Commission.
NO PUBLIC COMMENTS.

ADJOURNED TO CLOSED SESSION AT 12:26 P.M.

CLOSED SESSION

Consideration of confidential peace officer appeals pursuant to Copley Press.

Unfinished Business

21. *Petitioner's request for a hearing on his twenty (20) day **suspension**, effective September 29, 2008, from the position of Deputy Probation Officer I, Probation Department, **Case No. 08-4005**.*
ANNOUNCED AS THE PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, CHRISTOPHER BURDICK, TO GRANT THE APPEAL. (THE LEGAL ADVISOR DID NOT ADVISE THE COMMISSION.)
22. *Petitioner's request for a hearing on his **discharge**, effective October 16, 2007, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 07-477**.*
OVER-RULED THE PETITIONER'S OBJECTIONS. THE COMMISSION ADOPTED AS ITS FINAL DECISION, THE FINDINGS AND RECOMMENDATION OF THE HEARING OFFICER, BARBARA E. MILLER, TO SUSTAIN THE DEPARTMENT. (THE LEGAL ADVISOR DID NOT ADVISE THE COMMISSION.)
23. *Petitioner's request for a hearing on his **discharge**, effective November 23, 2007, from the position of Detention Services Officer, Probation Department, **Case No. 07-513**.*
SUSTAINED THE PETITIONER'S OBJECTIONS, ANNOUNCED AS THE NEW PROPOSED DECISION OF THE COMMISSION TO ACCEPT THE FINDINGS OF THE HEARING OFFICER, TRUDI FERGUSON, WITH THE EXCEPTION OF FINDING OF FACT 8, WHICH WAS DEEMED A CONCLUSION OF LAW AND DELETED. THE DEPARTMENT IS NOT SUSTAINED IN THE DISCHARGE. COMMISSIONERS ADKINS AND KAHWAJIAN DISSENTED. (THE LEGAL ADVISOR DID NOT ADVISE THE COMMISSION.)

New Business

24. *Petitioner's request for a hearing on his ten (10) day **suspension**, effective September 22, 2009, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 09-1410**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.
25. *Petitioner's request for a hearing on his **discharge**, effective September 21, 2009, from the position of Deputy Sheriff, Sheriff's Department, **Case No. 09-1411**.*
HEARING GRANTED – HEARING OFFICER TO BE ASSIGNED.

New Business (continued)

26. *Petitioner's request for a hearing on the Director of Personnel's denial of his appeal of the **Appraisal of Promotability and rating from records scores** received in the examination for Supervising Detention Services Officer, based on his claim of a Civil Service Rule 25 violation, **Case No. 09-1316.***

THE COMMISSION GRANTED THE REQUEST BY THE PETITIONER'S ATTORNEY TO CONTINUE THE MATTER.

ADJOURNED CLOSED SESSION AND RECONVENED THE MEETING AT 1:16 P.M.

READ INTO THE RECORD AN ACCOUNTING OF ACTIONS TAKEN DURING CLOSED SESSION.

ADJOURNED THE MEETING AT 1:17 P.M.

Legal Advisor:
Lester J. Tolnai

Deputy Executive Director:
Sandy Stivers

Chief, Commission Services:
Rochelle L. Williams

Head Commission Specialist:
Janice Davis

APPROVED BY THE CIVIL SERVICE
COMMISSION ON DECEMBER 9, 2009



Lawrence D. Crocker
Executive Director